

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re

BIG LOTS, INC., *et al.*,¹

Debtors.

Chapter 11

Case Nos. 24-11967 (JKS), *et seq.*
(Jointly Administered)

Relates to Docket No(s).

**ORDER COMPELLING IMMEDIATE
REJECTION OF UNEXPIRED LEASE OF
NON-RESIDENTIAL REAL PROPERTY AND SURRENDER
OF POSSESSION OF PREMISES, COMPELLING PAYMENT
OF POSTPETITION RENT, DIRECTING ALLOWANCE AND PAYMENT
OF ADMINISTRATIVE CLAIMS, AND GRANTING RELATED RELIEF**

UPON CONSIDERATION OF the Motion To Compel Immediate Rejection of Lease, Payment of Postpetition Rent, Allowance and Payment of Administrative Claims, and Related Relief (the “Motion”) filed by Cicero 8148 LLC (“Movant”), and any responses thereto; the Court finding that (i) the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; (ii) venue is proper in this district pursuant to 28 U.S.C. § 1409; (iii) this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and (iv) notice of the Motion was sufficient under the circumstances; it is HEREBY ORDERED as follows:

¹ The debtors and debtors in possession in these chapter 11 cases, along with the last four digits of their respective employer identification numbers, are as follows: Great Basin, LLC (6158); Big Lots, Inc. (9097); Big Lots Management, LLC (7948); Consolidated Property Holdings, LLC (0984); Broyhill LLC (7868); Big Lots Stores - PNS, LLC (5262); Big Lots Stores, LLC (6811); BLBO Tenant, LLC (0552); Big Lots Stores - CSR, LLC (6182); CSC Distribution LLC (8785); Closeout Distribution, LLC (0309); Durant DC, LLC (2033); AVDC, LLC (3400); GAFDC LLC (8673); PAFDC LLC (2377); WAFDC, LLC (6163); INFDC, LLC (2820); Big Lots eCommerce LLC (9612); and Big Lots F&S, LLC (3277). The address of the debtors’ corporate headquarters is 4900 E. Dublin-Granville Road, Columbus, OH 43081.

1. The Motion is GRANTED, as set forth herein. All capitalized terms not otherwise defined herein shall have the respective meanings set forth in the Motion.

2. The lease (the “Lease”) of non-residential real property located at 8148 S Cicero Ave, Burbank, IL (Store No. 4728) (the “Leased Property”), pursuant to which Lots Stores-PNS, LLC (the “Debtor”) is the tenant and Movant is the landlord is hereby rejected by the Debtor automatically and without further order of the Court pursuant to 11 U.S.C. § 365(a). The Debtor shall immediately tender possession of the Property to Movant and shall remove all personal property, including but not limited to equipment and inventory, from the Property within 10 days after entry of this order. The automatic stay is modified to permit Movant to terminate the Lease Agreement, reenter the Property, and take whatever steps may be necessary or appropriate to remove the Debtor from the Property in accordance with applicable non-bankruptcy law. Without limiting the foregoing, Movant is hereby permitted to use and/or relet the Property.

3. The Debtor shall comply with all obligations that have arisen under the Lease from the Petition Date until the date hereof, including but not limited to payment of \$49,682.98 in unpaid postpetition rent, within 7 days after entry of this Order.

4. Movant is hereby allowed an administrative expense claim of \$43,859.92 (inclusive of the amounts payable in accordance with ¶ 3 of this Order), without prejudice to Movant's right to seek allowance of further claims against the Debtor's estates, including but not limited to claims for damages arising from the Trustee's rejection of the Lease.

5. No stay of this Order shall be in effect, including but not limited to any stay contemplated under Fed.R.Bankr.P. 4001(a)(3).

6. This Court shall retain jurisdiction over any and all matters arising from or related to the interpretation and/or enforcement of this order.